

**United States District Court**

NORTHERN DISTRICT OF GEORGIA

FILED IN CHAMBERS  
U.S.D.C. Atlanta

AUG 25 2008

UNITED STATES OF AMERICA

v.

CRIMINAL COMPLAINT JAMES N. HATTEN, Clerk

By: 

Deputy Clerk

**ERIBERTO ESCOBAR**

CASE NUMBER: 1:08-MJ-0974

(Name and Address of Defendant)

I, the undersigned complainant being duly sworn state the following is true and correct to the best of my knowledge and belief. On or about July 31, 2008, in Fulton County, in the Northern District of Georgia defendant(s) did,

move and travel in interstate commerce between Georgia and Houston, Texas to avoid prosecution for the crime of rape, which is a felony under the laws of the state of Georgia;

ISSUED AND DELIVERED  
TO U.S. MARSHALBY: 

DEPUTY CLERK

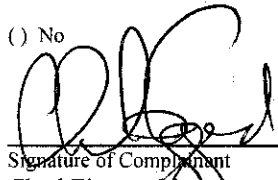
in violation of Title 18 United States Code, Section(s) 1073.

I further state that I am a(n) Special Agent with the FBI and that this complaint is based on the following facts:

See attached affidavit.

Continued on the attached sheet and made a part hereof.

(X) Yes ( ) No

  
Signature of Complainant

Chad Fitzgerald

Federal Bureau of Investigation

Based upon this complaint, this Court finds that there is probable cause to believe that an offense has been committed and that the defendant has committed it. Sworn to before me, and subscribed in my presence

August 25, 2008

Date

at

Atlanta, Georgia

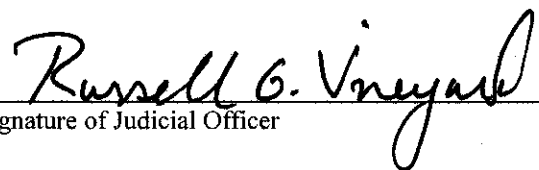
City and State

Russell G. Vineyard

United States Magistrate Judge

Name and Title of Judicial Officer

AUSA Mary C. Roemer

  
Signature of Judicial Officer

AFFIDAVIT

1. Your affiant, Chad Fitzgerald, is a special agent with the Atlanta office of the Federal Bureau of Investigation.

2. On August 21, 2008, Detective Aurelio Feliberty, fugitive team, Atlanta Police Department, advised the affiant as follows:

(a) On July 31, 2008, a bench warrant was issued in Fulton County Magistrate Court charging ERIBERTO ESCOBAR, with the crime of Rape, a felony in the state of Georgia.

(b) Detective Feliberty received information from a confidential source (family member) that Escobar fled to Texas to live with his brother.

(c) Using public databases, Detective Feliberty located a brother of Escobar's living in Houston, Texas.

3. Atlanta Police Department, Atlanta, Georgia and will extradite Escobar from any jurisdiction in which he is apprehended.

**CRIMINAL WARRANT**

**Warrant No: EW022029**

**MAGISTRATE COURT OF FULTON COUNTY:  
GEORGIA, Fulton County**

**AFFIDAVIT FOR ARREST**


(Ga. Code Ann. 17-4-45)

Personally came JARVIS JACKSON, who on oath says that to the best of his/her knowledge and belief ERIBERTO ESCOBAR (hereinafter called the accused) between 3/1/2006 at 15:00 and 1/1/2008 at 15:00, at 1940 FISHER RD #57A, ATLANTA in FULTON county aforesaid, did commit the offense of RAPE 16-6-1, in that said said accused did have carnal knowledge of ENELFA DURAN GARCIA, a female, forcibly and against her will THROW HER ON A SOFA, REMOVE HER PANTS AND UNDERWEAR, HOLD HER HANDS DOWN AND RAPE HER THEN CONTINUE TO RAPE THE 12 YEAR OLD VICTIM MULTIPLE TIMES FROM MARCH 2006 TO JANUARY 2008, USING A THREAT TO TELL HER MOTHER SHE CAME ON TO HIM. and this deponent makes this affidavit that a warrant may issue for his/her arrest.

Sworn to and subscribed before me,



Prosecutor/Affiant: JARVIS JACKSON



Deputy Clerk/Judge  
MAGISTRATE Court of Fulton County

**STATE WARRANT FOR ARREST**

**STATE WARRANT FOR ARREST**

(Ga. Code Ann. 17-4-46)

To any Sheriff, Deputy Sheriff, Coroner, Constable, Police Officer, Law Enforcement Officer or Marshal of said State  
**GREETING:**

For sufficient causes made known to the Deputy Clerk of this Court (as authorized by Acts 1922, p. 207), you are therefore commanded to arrest the body of the said accused named in the foregoing affidavit, charged with the offense of: RAPE 16-6-1 and bring him/her before me or some other judicial officer of this State, to be dealt with as the law directs, **HEREIN FAIL NOT.**

This 31 day of July, 2008 at 09:09:00 PM



JUDGE, MAGISTRATE COURT OF FULTON COUNT

**WITNESSES FOR THE STATE**

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Phone: (w)/(h) \_\_\_\_\_

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Phone: \_\_\_\_\_

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Phone: \_\_\_\_\_

NOTES: \_\_\_\_\_

\*\*\*\*\*

**GEORGIA, Fulton County:**

After hearing evidence the accused is \_\_\_\_\_

Discharged \_\_\_\_\_

This \_\_\_\_\_, 20 \_\_\_\_\_

**JUDGE, MAGISTRATE COURT-FULTON CO.**

**DISMISSED** \_\_\_\_\_

This \_\_\_\_\_, 20 \_\_\_\_\_

**JUDGE, MAGISTRATE COURT-FULTON CO.**

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**GEORGIA, FULTON COUNTY:**

After hearing evidence it is ordered that the accused give bond of \$ **BOND DENIED** dollars for his/her appearance at the STATE COURT/SUPERIOR COURT of said County now in session, to answer to the Charge of **RAPE 16-6-1** or in default that they be committed to jail. This is \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_\_

**JUDGE, MAGISTRATE COURT-FULTON CO.**

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**GEORGIA, FULTON COUNTY:**

Executed the within warrant by \_\_\_\_\_ day of \_\_\_\_\_, 20 \_\_\_\_\_, By \_\_\_\_\_

**ARRESTING OFFICER(S)**

**MAGISTRATE COURT OF FULTON COUNTY**

No. **EW022029**

**CRIMINAL WARRANT**

THE STATE

Versus

**ERIBERTO ESCOBAR**

RACE	D.O.B	SEX	HGT	WGT
H	10/17/1977	Male	5ft6in	190

ADDRESS: **1144 MORELAND DR ATLANTA GA 30315**Unknown

BUS ADDRESS: \_\_\_\_\_

PHONE NUMBER: (h) (w) \_\_\_\_\_

IN CUSTODY: No

**BOND \$ BOND DENIED**

**CHARGE: 16-6-1 RAPE**

PROSECUTOR NAME & ADDRESS:

JARVIS JACKSON  
CITY HALL EAST TFLR  
Atlanta GA 30308

PHONE NUMBER: **404-895-1078**

ATTY/PROSECUTOR: NAME/ADDRESS/PHONE

PROSECUTOR NOTIFIED BY:

DATE: \_\_\_\_ / \_\_\_\_ / \_\_\_\_ TIME: \_\_\_\_ AM/PM

PERSON NOTIFIED:

CALENDAR DATE AND NUMBER				

CASENO#: **081671789**